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APPLICATION NO		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,943	•	03/30/2004	Fabrizio Nobili	2512-1109	2918
466	7590	05/18/2006		EXAMINER	
YOUNG	& THOM	PSON	MCGRAW, TREVOR EDWIN		
745 SOUT	+	TREET		4 P.T. I. P.U.T.	DARCO SHUADED
2ND FLOO	OR .		ART UNIT	PAPER NUMBER	
ARLINGT	ON, VA	22202	3752		
				DATE MAILED: 05/18/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
		Applicatities				
Office Action Commons	10/811,943	NOBILI, FABRIZIO				
Office Action Summary	Examiner	Art Unit				
	Trevor McGraw	3752				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 16(a). In no event, however, may a reply be tirr iill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 30 Ma	arch 2004.					
•—	action is non-final.					
3) Since this application is in condition for alloward closed in accordance with the practice under E	·					
Disposition of Claims						
4)⊠ Claim(s) <u>1-13</u> is/are pending in the application.						
•	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.	,					
6)⊠ Claim(s) <u>1-13</u> is/are rejected.	☑ Claim(s) <u>1-13</u> is/are rejected.					
7)⊠ Claim(s) <u>10, 11 and 13</u> is/are objected to.	☑ Claim(s) <u>10, 11 and 13</u> is/are objected to.					
8) Claim(s) are subject to restriction and/or	election requirement.					
Application Papers						
9)⊠ The specification is objected to by the Examine						
10)⊠ The drawing(s) filed on <u>30 March 2004</u> is/are: a) accepted or b)⊠ objected to by the Examiner.						
Applicant may not request that any objection to the	-					
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
a) All b) Some * c) None of:						
1. Certified copies of the priority documents have been received.						
 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage 						
application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.						
Attachment(s)						
1) Notice of References Cited (PTO-892)	4) Interview Summary					
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>04/22/2005</u>. 	Paper No(s)/Mail Double 5) Notice of Informal F	ate Patent Application (PTO-152)				

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DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show 1. the valve and components 2,10, 7, 8, 6, 5, 13, 4, 12, 9, 11, T, L-Shaped Pipe and S-Shaped Pipe as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing clearly with detail and without transposing Figure 1A over Figure 2. Figure 1A should be separate and labeled. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "elastic means" of claim 5 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filling date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: In line 7 of Page 7 of the specification, applicant recites the components "2a e 3a" which are not shown. It appears to be a typographical error. Appropriate correction is required.

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Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 4. Claim 1 recites the limitation "the handle" in line 6. There is insufficient antecedent basis for this limitation in the claim. Examiner suggests making proper reference to "the handle" to provide for proper antecedence in the claim.
- 5. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 is claiming a "showerhead" while claim 1 is claiming a "water delivery system". It is unclear to the Examiner as to what the invention being claimed is drawn to, a "showerhead" or a "water delivery system" as claim 3 depends from claim 1. Examiner notes that claims 2, 4, 5, 6 and 12 have the same issue due to dependency and use of "showerhead" claim recitation.
- 6. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 7 is claiming a "flexible tube" while claim 1 is claiming a "water delivery system". It is unclear to the Examiner as to what the claim is being being claimed is drawn to, a "flexible tube" or a "water delivery system" as claim 7 depends from claim 1. Examiner notes that claims 8, 9, 10, 11 and 13 have the same issue due to dependency and use of "flexible tube" claim recitation.
- 7. Regarding claims 5 and 12, the word "means" is preceded by the word(s)

 "elastic" in an attempt to use a "means" clause to recite a claim element as a means for

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performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

Regarding claim 10, the word "means" is preceded by the word(s) "centring" in an attempt to use a "means" clause to recite a claim element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

Claim Objections

- 8. Claim 10 is objected to because of the following informalities: The word "centring" is also misspelled. Appropriate correction is required.
- 9. Claim 11 and 13 are objected to because of the following informalities: The word "moulded" is misspelled in both claims. Appropriate correction is required.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nelson (2,260,537), Perrin et al. (5,417,348), Williamson et al. (6,368,503), Jousson (4,907,744), Aldred et al. (6,517,720).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trevor McGraw whose telephone number is (571) 272-7375. The examiner can normally be reached on Monday-Friday (2nd & 4th Friday Off).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Scherbel can be reached on (571) 272-4919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Trevor McGraw Art Unit 3752

TEM

David A. Scherbel
Supervisory Patent Examiner
Group 3700